

**The below described is SIGNED.**

(ts)

**Dated: October 08, 2009**

  
WILLIAM T. THURMAN  
U.S. Bankruptcy Chief Judge



**PREPARED AND SUBMITTED BY:**

Blake D. Miller (#4090)  
Craig H. Howe (#7552)  
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*Attorneys for Chapter 7 Trustee*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

<p><b>In re:</b> <b>COVENANT FUNDING GROUP, INC.,</b> <b>Debtor.</b></p>	<p><b>Bankruptcy Case No. 04-22003 WTT</b> <b>Chapter 7</b></p>
<p><b>In re:</b> <b>COMMERCIAL LENDING GROUP,</b> <b>INC.,</b> <b>Debtor.</b></p>	<p><b>Bankruptcy Case No. 04-22004 WTT</b> <b>Chapter 7</b> <b>(Substantively Consolidated)</b> <b>Judge William T. Thurman</b></p>

**ORDER ON TRUSTEE'S OBJECTIONS AND AMENDED OBJECTIONS TO CLAIMS**

The following claims objections filed by David L. Miller, Trustee of the substantively consolidated bankruptcy estates of Covenant Funding Group, Inc. and Commercial Lending Group, Inc. (the “Trustee”), came on for hearing before the Court on September 17, 2009, at 10:30 a.m.: (i) Objection to Claim No. 26 (Dkt. #285); (ii) Limited Objection to Claim No. 5 (Commercial Lending Group) (Dkt. #286); (iii) Objection to Claim No. 5 (Covenant Funding Group) (Dkt. #287); (iv) Limited Objection to Claim No. 20 (Dkt. #288); (v) Partial Withdrawal of Objection to Claim No. 19 and Amended Objections to Claim Nos. 19 and 21 (Dkt. #289); (vi) Partial Withdrawal of Objection to Claim No. 52 and Amended Objections to Claim Nos. 52 and 60 (Dkt. #290); and (vii) Limited Objection to Claim No. 73 (Dkt. #291) (collectively, the “Objections”). Notice of the Objections and the hearing was served on all parties in interest. Craig H. Howe appeared on behalf of the Trustee. There were no other appearances made at the hearing. Based on the Objections, and good cause appearing therefor,

**IT IS HEREBY ORDERED** as follows:

1. Claim No. 5 filed by Kevin Criddle in the Commercial Lending Group case is disallowed as a secured claim but allowed as an unsecured non-priority claim;
2. Claim No. 5 filed by Kevin Criddle in the Covenant Funding Group case is a duplicate of Claim No. 5 filed in the Commercial Lending Group case and, therefore, is disallowed;
3. Claim No. 19 filed by Richard T. Gardner and the RaeDean Gardner Trust in the Commercial Lending Group case is disallowed as a secured claim but allowed, in full, as an unsecured non-priority claim as follows: (1) allowed in the amount of \$80,050.00 in favor of

PENSCO Trust Company for the benefit of Richard T. Gardner IRA acct. #GA, and (2) allowed in the amount of \$100,000.00 in favor of the RaeDean Gardner Trust;

4. Claim No. 20 filed by the Pine Canyon Trust in the Commercial Lending Group case is disallowed as a secured claim but allowed as an unsecured non-priority claim;
5. Claim No. 21 filed by Richard T. Gardner and the RaeDean Gardner Trust in the Commercial Lending Group case is a duplicate of Claim No. 19 and, therefore, is disallowed;
6. Claim No. 26 filed by The Cantamar, LLC, has been amended by Claim No. 81 and, therefore, is disallowed;
7. Claim No. 52 filed by PENSCO Trust Company, FBO Robert Schexnayder, is disallowed as a secured claim but allowed as an unsecured non-priority claim;
8. Claim No. 60 filed by PENSCO Trust Company, FBO Robert Schexnayder, is a duplicate of Claim No. 52 and, therefore, is disallowed; and
9. Claim No. 73 is disallowed as an unsecured priority claim but allowed as an unsecured non-priority claim in the reduced amount of \$46,400.00.

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**CLERK'S CERTIFICATE OF SERVICE**

I hereby certify that, on this \_\_\_\_\_ day of \_\_\_\_\_ 2009, a copy of the foregoing

**ORDER ON TRUSTEE'S OBJECTION AND AMENDED OBJECTIONS TO CLAIMS**

was served by first class mail, postage prepaid, or via ECF, on the following:

United States Trustee Ken Garff Building 405 S. Main Street, Suite 300 Salt Lake City, Utah 84111	Gerald H. Suniville VAN COTT BAGLEY CORNWALL & McCARTHY 36 South State Street, Suite 1900 Salt Lake City, Utah 84111
Richard T. Gardner RaeDean Gardner Trust 3610 N. 950 W. Pleasantview, UT 84418	Robert and Leona Schexnayder 1179 Wild Flower Lane Cedar City, Utah 84720
PENSCO Trust Company PENSCO Pension Services, Inc. 450 Sansome St., 11th Floor San Francisco, CA 94111	Pine Canyon Trust 1012 W. Pleasant View Drive Ogden, Utah 84414
Pine Canyon Trust P.O. Box 9199 Ogden, Utah 84409-0199	Kevin Criddle 265 N. 200 W. Kaysville, Utah 84037
James and Barbara Britt 1935 East Deere Valley Drive Layton, Utah 84040	Pamela Frinkman 1736 25 <sup>th</sup> Street Ogden, Utah 84401

Clerk of the Court